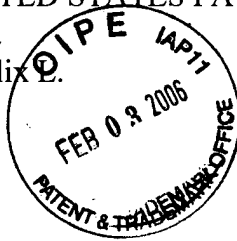


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: SORKIN, Felix E.

SERIAL NO.: 10/688,183

FILED: October 20, 2003



ART UNIT: 3635

EXAMINER: Bergeron, R.C.

TITLE: EXTRUDED UPPER BEAM SLAB BOLSTER FOR USE IN CONSTRUCTION

AMENDMENT "A"

Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of November 7, 2005, a response being due by February 7, 2006, please enter the present amendments and consider the following remarks:

REMARKS

Upon entry of the present amendments, previous Claims 1 - 20 have been canceled and new Claims 21 - 40 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, it was indicated that Claims 1 - 6 and 8 were rejected under judicially-created doctrine of obviousness-type double patenting relative to the Claims 1 - 2 and 6 - 7 of U.S. Patent No. 6,772,571 to the present invention. Claims 7 and 13 were also rejected under the judicially-created doctrine of obviousness-type double patenting relative to U.S. Patent No. 6,772,571 inv Hartzheim patent. Claim 4 was objected to because of lack of antecedent basis.

Importantly, Claims 9 - 12 and 14 - 20 were indicated as being allowable.

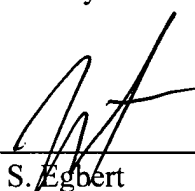
In reply to the Official Action, Applicant has revised Claims 1 - 20 in the form of new Claims 21 - 40. New Claims 21 - 23 are identical to original Claims 1 - 3. New Claims 25 - 40 are identical, respectively, to previous Claims 5 - 20. Dependent Claim 24 reflects the limitations of original dependent Claim 4 but recited "foot" instead of the antecedent-lacking "first foot". The dependencies of each of these claims has been accordingly modified.

So as to place the application into a proper condition for allowance, Applicant is enclosing herewith a suitable Terminal Disclaimer relative to the claims of prior U.S. Patent No. 6,772,571 to the present inventor. The Terminal Disclaimer fee is also attached hereto.

Based upon the foregoing analysis, Applicant contends that independent Claims 21, 33 and 38 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

Date



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